

Rec'd PCT/PTO 21 DEC 2006

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001/006

Berlex Biosciences  
Corporate Patents  
2600 Hilltop Drive  
Richmond, California 94806  
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# Fax

**Attn:** Marnie P. Person, (USPTO DO/EO/US) **From:** Alishia Rowe-Babb  
**Fax:** (571) 273-3201 **Pages:** 6 (includes fax cover page)  
**Phone:** (703) 308-9140 ext. 227 **Date:** December 21, 2006  
**Re:** Response to Notification of Missing Requirements under 35 U.S.C. 371 **CC:**

Case: 53526AUSM1

In re Application of: Link et al.  
U.S. Serial No. 10/587,867,  
International Application No. PCT/US/2005/002773  
Filed: January 31, 2005  
Title "SILINANE COMPOUNDS AS CYSTEINE PROTEASE INHIBITORS."

List of Facsimile Items:

Response to Notification of Missing Requirements Under 35 U.S.C. 371, Fee Transmittal, Declaration and Power of Attorney as submitted on September 14, 2006.

I hereby certify that this paper is being faxed to the PCT Receiving Office at facsimile (571) 273-3201 on December 14, 2006.

Alishia Rowe-Babb

Dec 21-06  
Date of Signature

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002/006

Our File No. 53526AUSM1

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

International Application No.	International Filing Date	Priority Date Claimed
<u>PCT/US/2005/002773</u>	<u>January 31, 2005 (01.31.2005)</u>	<u>January 30, 2004 (01.30.2004)</u>

Title of Invention

**SILINANE COMPOUNDS AS CYSTEINE PROTEASE INHIBITORS**

Applicant(s)

Schering Aktiengesellschaft et al.

The United States Patent and Trademark Receiving Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Via Facsimile

Attn: Marnie P. Person

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**  
**IN THE UNITED STATES DESIGNATED/ ELECTED OFFICE (DO/EO/US)**

Dear Ms. Person:

Please find attached the Declaration and Power of Attorney along with the Fee Transmittal originally sent via facsimile to the United States Patent and Trademark Receiving Office on September 14, 2006. The PAIR System indicates the document was received and is listed under image file wrapper, mail room date 10/14/06, and "miscellaneous incoming letter".

We ask that you retract Form PCT/DO/EO/905 (Formalities Notice), deduct the \$130.00 from deposit account No. 02-2117, and issue Form PCT/DO/EO/903 (Notification of Acceptance Under 35 U.S.C. 371).

Respectfully submitted,

  
Jacqueline S. Larson (Reg. No. 30,279)  
Attorney for the Applicant(s)

Berlex Biosciences  
Corporate Patents  
2600 Hilltop Drive  
Richmond, California 94806  
Phone: (510) 669-4483  
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003/006

PTO/SB/17 (12-04v2)  
Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

I Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

<small>Effective on 12/08/2004. Fee pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</small>		<b>Complete If Known</b>	
<b>FEES TRANSMITTAL For FY 2005</b>		Application Number	10/587,867
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Filing Date	July 28, 2006
TOTAL AMOUNT OF PAYMENT (\$)		First Named Inventor	Link et al.
130.00		Examiner Name	Not Yet Known
		Art Unit	Not Yet Known
		Attorney Docket No.	53526AUSM1

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 02-2117 Deposit Account Name: Berlex Biosciences

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION**

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

**Fee Description**

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Small Entity	Fee (\$)	Fee (\$)
- 2D or HP =	x	=			50	25
HP = highest number of total claims paid for, if greater than 20.					200	100
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)		360	180
- 3 or HP =	x	=		Multiple Dependent Claims		
HP = highest number of independent claims paid for, if greater than 3.				Fee (\$)	Fee Paid (\$)	

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$)

- 100 = / 50 = (round up to a whole number) x =

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late Oath/ Declaration and Power of Attorney

Fees Paid (\$)

130.00

<b>SUBMITTED BY</b>	
Signature	Jacqueline S. Lanson
Name (Print/Type)	Jacqueline S. Lanson
Registration No. (Attorney/Agent)	30,279
Telephone	(510) 669-4483
Date September 14, 2008	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**Rec'd PCT/PTO 21 DEC 2006****Our File No. 53526AUSM1****IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

International Application No.	International Filing Date	Priority Date Claimed
<u>PCT/US/2005/002773</u>	<u>January 31, 2005 (01.31.2005)</u>	<u>January 30, 2004 (01.30.2004)</u>

**Title of Invention****SILINANE COMPOUNDS AS CYSTEINE INHIBITORS****Applicant(s)****Schering Aktiengesellschaft et al.**

The United States Patent and Trademark Receiving Office  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Attn: Mamie P. Person

Via Facsimile (forms only)  
 (703) 305-3230

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371**  
**IN THE UNITED STATES DESIGNATED/ ELECTED OFFICE (DO/EO/US)**

Dear Ms. Person:

Please find attached the Declaration and Power of Attorney along with the Fee Transmittal originally sent via facsimile to the United States Patent and Trademark Receiving Office on September 14, 2006. The PAIR System indicates the document was received and is listed under image file wrapper, mail room date 10/14/06, and "miscellaneous incoming letter".

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Respectfully submitted,

  
 Jacqueline S. Larson (Reg. No. 30,279)  
 Attorney for the Applicant(s)

Docket: 53526AUSM1

**IN THE UNITED STATES PATENT AND TRADEMARK RECEIVING OFFICE**

National Phase Filing of PCT Application No. PCT/2005/002773	First Named Inventor: John Link
International Filing Date: January 31, 2005	Examiner: Not yet known
U.S. Application No.10/587,867	Group Art Unit: Not yet known
Filing Date: July 28, 2006	
Title: "Silinane Compounds as Cysteine Protease Inhibitors."	

**DECLARATION AND POWER OF ATTORNEY**

PCT Receiving Office  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

In compliance with 37 CFR 1.63, please find enclosed a fully executed Declaration and Power of Attorney (2 pages). Pursuant to section 37 CFR 1.16(e), the Commissioner is hereby authorized to charge the oath and declaration surcharge of \$130 to deposit account #02-2117 and any insufficiencies or other fees that are necessary to facilitate the filing of this application.

Respectfully submitted,

BERLEX INC.  
Customer Number 27586

*Jacqueline S Larson*  
Jacqueline S Larson (Reg. No.30,279)  
Senior Patent Attorney for Applicants

Date: Sept. 14, 2006

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